

Realtor Folders and Realtorfolders.com have, upon information and belief, as alleged in Keller Williams' Original Complaint in this matter, been continuously contacting Keller Williams vendors in an attempt to fraudulently induce the vendors into sending money to Defendants in exchange for promised advertising space in "presentation folders." Upon information and belief, Defendants do not deliver any of the promised goods, and further their fraudulent activities by infringing Keller Williams' registered trademarks and claiming an affiliation with Keller Williams.

4. Defendants generally contact Keller Williams vendors by e-mail using an assortment of e-mail addresses, including *artwork@videotron.com*, *sales@realtorfolders.com*, *impressions@videotron.ca*, *artwork@realtorfolders.com*, and *pandorafolders@videotron.ca*. True and correct copies of e-mails sent by Defendants to Keller Williams vendors using the above-listed e-mail addresses are attached hereto at Tab 1.

5. As recently as June 16, 2008, Defendant Charles Lapeer sent an e-mail to a Keller Williams vendor from the e-mail address *artwork@videotron.ca*. A true and correct copy of the June 16, 2008 e-mail is attached hereto at Tab 2.

6. In his e-mails to Keller Williams vendors, Mr. Lapeer has previously listed a business address of 14781 Memorial Drive, Suite 895, Houston, Texas 77079. A true and correct copy of one such e-mail is attached hereto at Tab 3.

7. On the website *realtorfolders.com*, which Defendants use to further their fraud and which Defendant have, as alleged in the Original Complaint, used to infringe Keller Williams' trademarks, Houston, TX 77079 is listed on the page titled "Contact Us." Further, the website lists the contact e-mail address as *sales@realtorfolders.com*. A true and correct copy of the page titled "Contact Us" is attached hereto at Tab 4.

8. On or about May 1, 2008, Keller Williams attempted to serve process by personal delivery on Defendant Charles Lapeer at 14781 Memorial Drive, Suite 895, Houston, Texas 77079. The address turned out to be a postal store, and the process server reported that she was told that a company called U.S. Global Services picks up mail for Mr. Lapeer at the store. The process server further reported that when she contacted U.S. Global Services, she was told that she could leave a note explaining what she had, which would be delivered to Mr. Lapeer with his mail, but that no further information regarding Mr. Lapeer could be disclosed. A true and correct copy of the process server's report is attached hereto at Tab 5.

9. Mr. Lapeer was served with process at 14781 Memorial Drive, Suite 895, Houston, Texas 77079 by Certified Mail, Return Receipt Requested, on or about May 8, 2008. A return of service, indicating that the certified mail was delivered and signed for, is attached hereto at Tab 6.

10. Defendant John Richards has claimed an address in correspondence with Keller Williams of 5715 Will Clayton, Number 1564, Humble, Texas 77338. In the same correspondence, Mr. Richards claimed an e-mail address of *john@realtorfolders.com*. A true and correct copy of an e-mail from Mr. Richards claiming such an address is attached hereto at Tab 7.

11. On or about May 6, 2008, Keller Williams attempted to serve Mr. Richards by personal delivery at 5715 Will Clayton, Number 1564, Humble, Texas 77338. The process server reported that, upon arrival, she spoke with Raul Elorduy, the General Manager of USA@2ME.COM, a mail and parcel center, who stated that post office box 1564 had been abandoned in February of 2007, and that he could not provide information with respect to the

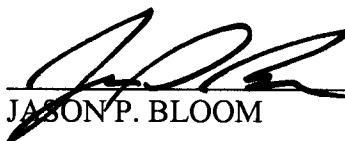
former owner. Based upon this information, no further attempts at service were made at this address. A true and correct copy of the process server's report is attached hereto at Tab 8.

12. The WHO IS report for Defendants' website, *www.realtorfolders.com* currently lists the address for the registrant "Charles Lapierre," as P.O. Box 99800, Emeryville, California, 94662. A true and correct copy of the WHOIS report is attached hereto at Tab 9.

13. On or about May 15, 2008, Keller Williams served process upon both Defendants at P.O. Box 99800, Emeryville, California, 94662, the registrant address listed in the WHOIS records for the website *www.realtorfolders.com*, through the Texas Secretary of State. Certificates of service, received from the Texas Secretary of State, indicating that signed returned receipts were received, are attached hereto at Tab 10.

14. On information and belief, the address at P.O. Box 99800, Emeryville, California, 94662 is neither Defendant's personal address, but is rather the address of a privacy protection service Defendants use to shield their identities as the registrants of *www.realtorfolders.com*. On information and belief, Yahoo! Inc. provides the name server for the website *www.realtorfolders.com*, and on July 2, 2008, in response to an informal request, Yahoo! Inc. indicated that it would only disclose information regarding the registrant of *www.realtorfolders.com* in response to a properly served subpoena or other valid legal process. A true and correct copy of the July 2, 2008 communication from Yahoo! Inc. is attached hereto at Tab 11.

Further affiant saith not.



JASON P. BLOOM

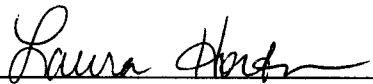
STATE OF TEXAS §
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COUNTY OF DALLAS §

Before me a notary public on this day personally appeared Jason P. Bloom, Esq., who is known to me, and who acknowledged to me that he had signed the Affidavit and that all of the statements in the Affidavit are within his personal knowledge and are true and correct.

Given under my hand and seal of office this 2nd day of July, 2008.



(SEAL)



Notary Public